

**AN ORDINANCE TO AMEND THE SEWER TAP-IN
AND CONNECTION CHARGES FOR
THE CITY OF EVANSVILLE, INDIANA**

WHEREAS, the City of Evansville, Indiana (the "City"), has heretofore constructed and has in operation a sewage works pursuant to IC 36-9-23 *et seq.* For the purpose of collecting and disposing of, in a sanitary manner, the sewage of the residents and other non-resident users of the sewer utility of the City; and

WHEREAS, the Common Council of the City (the "Council") has previously by ordinance established the existing schedule of tap-in and connection charges for sewer utility of the City; and

WHEREAS, the City has employed H.J. Umbaugh & Associates, Certified Public Accountants, LLP (the "Financial Advisor") to prepare a rate report reviewing the sufficiency of such existing charges; and

WHEREAS, the Financial Advisor has prepared and submitted a rate report (the "Rate Report") which concludes that existing tap-in and connection charges are insufficient to pay all the necessary costs incident to the tap-in fee and connection charges; and

WHEREAS, pursuant to IC 36-9-23-26, this Council may change or adjust its existing schedule of fees by ordinance; and

WHEREAS, IC 36-9-23-25 authorizes this Council to adopt by ordinance a just and equitable schedule of fees for sewer services rendered by the City's sewage works; and

WHEREAS, because of and based upon such cost increases, it is just, equitable, and reasonable to amend the existing schedules of tap-in and connection charges herein for new connections to the sewer system or users requiring additional capacity; and

WHEREAS, the Clerk of the City has given notice of the public hearing on proposed rates; and

WHEREAS, the public hearing was held before this Council on the date hereof, at which time testimony from interested persons was received, after introduction of this ordinance and as provided for in the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF EVANSVILLE, INDIANA:

SECTION 1. The Council hereby finds and determines that, based upon the Rate Report, the existing charges are insufficient to pay all the necessary expenses incident to the operation of the utility, including costs related to the tap-in and connection charges.

FILED

APR 22 2015

Anna Windness
CITY CLERK

SECTION 2. The Council finds and determines that the proposed charges as set forth in the Rate Report are just and equitable and therefore should be adopted.

SECTION 3. The Council finds and determines that the proposed charges set forth below should be adopted.

SECTION 4. Sub-Section 13.05.290 (C) of the Evansville Municipal Code is hereby amended by deleting said Sub-Section as presently constituted and substituting therefor the following:

“(C) The charges shall be as follows:

(1) A residential single-family house or condominium single-family unit (excluding mobile homes, trailers, motor homes, or other similar vehicular-type construction): \$1,500 each effective July 1, 2015. This fee shall be adjusted each year on July 1st beginning July 1, 2016 in the following dates and amounts:

July 1, 2016	\$1,800
July 1, 2017	\$2,000
July 1, 2018	\$2,100

(2) A residential duplex home (excluding mobile homes, trailers, motor homes, or other similar vehicular-type construction): 0.5 times the residential single-family house charge per living unit.

(3) Apartments and townhouses: 0.5 times the residential single-family house charge per unit.

(4) Hotels and motels: 0.5 times the residential single-family house charge per rental room.

(5) Hospitals and nursing homes: 0.5 times the residential single-family house charge per bed planned as of the time of connection.

(6) Mobile home, trailer, motor home, or other similar vehicular-type improvements: 1.0 times the residential single-family house.

(7) Industrial, commercial, office, professional or educational improvements or schools, and any and all other types of improvements of every kind and nature,

which are not specifically listed above, shall be charged a tap-in fee based on the size of any new water meter. The charges shall be calculated using the following equivalency factors times the residential single-family house charge:

Meter Size	Equivalency Factor
5/8 inch meter	1.0
3/4 inch meter	1.4
1 inch meter	2.5
1 ¼ inch meter	4.0
1 ½ inch meter	5.7
2 inch meter	10.0
3 inch meter	23.0
4 inch meter	40.0
6 inch meter	91.0
8 inch meter	162.0
10 inch meter	253.0
12 inch meter	365.0

No credits shall be applied to the sewer tap fee for previous water service meter size or previous sewer tap fees paid for any new water meter or water meter size increase.

(8) Churches and improvements built by churches or church-owned property and devoted solely to church-related activities: 1.0 times of the residential single-family house charge per improvement.

(9) Warehouse. The sewer tap-in fee will be based on the size of any new water meter(s) or existing water meter size change. The charges shall be calculated using the following equivalency factors times the residential single-family house charge:

5/8 inch meter	1.0
3/4 inch meter	1.4
1 inch meter	2.5
1 ¼ inch meter	4.0
1 ½ inch meter	5.7
2 inch meter	10.0
3 inch meter	23.0
4 inch meter	40.0
6 inch meter	91.0
8 inch meter	162.0

10 inch meter	253.0
12 inch meter	365.0

No credits shall be applied to the sewer tap fee for previous water service meter size or previous sewer tap fees paid for any new water meter or water meter size increase.

SECTION 5. Sub-Section 13.05.290 (D) of the Evansville Municipal Code is hereby amended by deleting said Sub-Section as presently constituted and substituting therefor the following:

(D) Tap-In Fee Exemption. The tap-in fee for any new single-family home constructed on property designated as an economic revitalization area and approved for tax abatement by City Council shall be reduced to 0.375 times the residential single-family house charge per living unit. subject also to any other exemptions or reductions allowed in this chapter. This subsection shall apply to any home for which a building permit is issued on or after February 1, 1994. Any new single-family home constructed by a not-for-profit organization exempt from income taxes under 26 USCA 501 of the Internal Revenue Code shall be exempt from the tap-in fee provided by subsection (C)(1) of this section so long as all the following apply:

- (1) The house is constructed for sale to low income individuals who could not otherwise afford such a home;
- (2) The purchaser of the house is not an officer or employee of the not-for-profit organization;
- (3) The house is not constructed for the use of the not-for-profit organization;
- (4) The not-for-profit organization complies with all fair housing laws and does not discriminate against any potential purchaser on the basis of race, color, creed, religion, national origin, sex, or handicap; and

(5) The not-for-profit organization does not charge interest to the purchaser.

All other provisions of this chapter shall apply, including, but not limited to, obtaining all necessary permits and construction standards.

SECTION 6. Sub-Section 13.05.290 (F) of the Evansville Municipal Code is hereby amended by deleting said Sub-Section as presently constituted and substituting therefor the following:

F) Any facility that is constructed by a not-for-profit organization exempt from income taxes under 26 USCA 501(C) shall be exempt from the tap-in fee provided by subsection (C) of this section so long as all of the following apply:

- (1) The facility is constructed for the sole purpose of supporting youth activities.
- (2) The facility is served by one (1) water meter.
- (3) The water meter installed is 3/4 inch or smaller.
- (4) The facility is completely separate and detached from any other building on the property.

All other provisions of this chapter shall apply, including, but not limited to, obtaining all necessary permits and construction standards

SECTION 7. This Ordinance shall be in effect on and after its date of passage.

Passed and adopted by the Common Council of the City of Evansville on the 8 day of June, 2015, and on said day signed by the President of the Common Council and attested by the City Clerk.



Dr. H. Dan Adams, President of the Common Council,
City of Evansville, Indiana

ATTEST: Laura Windhorst
Laura Windhorst, City Clerk
City of Evansville, Indiana

Presented by me, the undersigned City Clerk of the City of Evansville, Indiana, to the Mayor of said city, this 10 day of June, 2015, at ~~10:30~~ 11:30 o'clock A.m. for his consideration and action thereon.

Laura Windhorst
Laura Windhorst, City Clerk
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said Ordinance and return the same to the City Clerk this 10th day of June, 2015, at 4:15 o'clock P.m.

Lloyd Winnecke
Lloyd Winnecke, Mayor
City of Evansville, Indiana

APPROVED AS TO FORM
BY TED C. ZIEMER, JR., CORPORATE COUNSEL